

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LUIS ANGEL NUNEZ VIERA,

Petitioner,

v.

CLARE DOLL,

Respondent.

No. 3:19-CV-02138

(Judge Brann)

(Magistrate Judge Saporito)

ORDER

AUGUST 24, 2020

Luis Angel Nunez Viera, an individual previously detained by the United States Department of Homeland Security, Immigration and Customs Enforcement (“ICE”), filed this 28 U.S.C. § 2241 petition seeking an individualized bond hearing pending his removal from the United States.¹ On August 6, 2020, Magistrate Judge Joseph F. Saporito, Jr., issued a Report and Recommendation recommending that this Court dismiss as moot Nunez Viera’s petition, as Nunez Viera has been released from ICE custody on bond.² The Report and Recommendation was returned to the Court as undeliverable.³

¹ Doc. 1.

² Doc. 11.

³ Doc. 13.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.⁴ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁵ After reviewing the record, the Court finds no error—clear or otherwise—in Magistrate Judge Saporito’s conclusion that this Court may no longer grant the requested relief, and that Nunez Viera’s § 2241 petition is therefore moot. Accordingly, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito, Jr.’s Report and Recommendation (Doc. 12), is **ADOPTED**;
2. Nunez Viera’s 28 U.S.C. § 2241 petition (Doc. 1) is **DISMISSED** as moot; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge

⁴ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.